

AMENDMENT UNDER 37 CFR § 1.111
Serial No. 09/865,466

REMARKS

A total of 68 claims remain in the present application. The foregoing amendments are presented in response to the Office Action mailed March 8, 2004, wherefore reconsideration of this application is requested.

By way of the above-noted amendments, claims 1, 3, 27, 29 and 53 have been amended to more clearly define features of the present invention. In particular, claims 1, 27 and 53 have been amended to emphasise that the controller is a digital controller which controls the narrow band detector to detect a respective power level of a desired RF signal within the wideband signal path; and which also controls a gain of the wideband signal path based on the detected power level of the desired RF signal. These features are clearly described and illustrated in the originally filed application, and thus do not represent new subject matter. Claims 3 and 29 have been amended to correct a lack of antecedent support.

Referring now to the text of the Office Action:

- claims 1-5, 27-31 and 53 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over the teaching of United States Patent No. 3,411,088 (Hutchison); and
- claims 6-26, 32-52 and 54-68 are objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As an initial matter, applicant appreciates the Examiner's indication of allowable subject matter in claims 6-26, 32-52 and 54-68. The Examiners rejection of claims 1-5, 27-31 and 53 under 35 U.S.C. §103(a) is believed to be traversed by the above-noted claim amendments, and further in view of the following discussion.

United States Patent No. 3,411,088 (Hutchison) teaches a gain controller in which the number of narrow-band signals present in a broadband signal path (11, 12, 13, 14, 15 and 16 is counted, and used to control variable impedance 12 so as to avoid saturating amplifier 13.

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Hutchison does not teach or suggest a digital controller which controls the a narrow band detector to detect a respective power level of a desired RF signal within the wideband signal path; and which also controls a gain of the wideband signal path based on the detected power level of the desired RF signal, as defined in amended independent claims 1, 27 and 53.

The dependent claims 2-26, 28-52 and 54-68 define further features of the present invention, which are believed to provide additional grounds for patentability.

In light of the foregoing, it is respectfully submitted that the presently claimed invention is clearly distinguishable over the teaching of the cited reference. Thus it is believed that the present application is in condition for allowance, and early action in that respect is courteously solicited.

If any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this response, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 19-5113.

Respectfully submitted,


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